

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MULTIVEN, INC., a Delaware corporation

Plaintiff,

v.

CISCO SYSTEMS, INC., a California corporation

Defendant.

CISCO SYSTEMS, INC., a California corporation, and CISCO TECHNOLOGY, INC., a California corporation

Counterclaimants,

v.

MULTIVEN, INC., a Delaware corporation, PINGSTA, INC., a Delaware corporation, and PETER ALFRED-ADEKEYE, an individual

Counterdefendants.

**Case No. 5:08-cv-05391 JW (HRL)**

**STIPULATED REQUEST TO TEMPORARILY STAY CASE PENDING DISMISSAL AND [PROPOSED] ORDER**

WHEREAS, the parties in the above-entitled action have entered into a settlement agreement attached as Exhibit A (“Settlement Agreement”) to the proposed order filed concurrently herewith;

WHEREAS, Exhibit 4 to the Settlement Agreement contains highly sensitive and confidential information regarding the parties' business operations and therefore is sealable under Local Rule 79-5(c);

WHEREAS, the parties have agreed to request dismissal with prejudice of the claims in this action at a later date and dismissal of the counterclaims in this action with prejudice;

WHEREAS, the parties are facing imminent deadlines as set forth in the June 10, 2009 Scheduling Order (Docket Entry (“DE”) 30);

WHEREAS, the parties desire that the Court retain jurisdiction over this action for the purpose of enforcing the terms of the Settlement Agreement, including the retention of the power to enjoin any action brought in violation of the Settlement Agreement;

NOW THEREFORE, it is hereby stipulated by the undersigned counsel on behalf of the parties identified below that:

1. The case should be temporarily stayed pending the final dismissal with prejudice of the entire action.

2. The Court should enter an order sealing Exhibit 4 to the Settlement Agreement, which is attached hereto as Exhibit A.

3. The Court should retain jurisdiction over this action for the purpose of enforcing the terms of the Settlement Agreement, including the retention of the power to enjoin any action brought in violation of the Settlement Agreement

Dated: July 21, 2010

Respectfully submitted,

BLECHER & COLLINS, P.C.  
515 South Figueroa Street, Suite 1750  
Los Angeles, CA 90071

By \_\_\_\_\_ */s/ Donald R. Pepperman*  
DONALD R. PEPPERMAN  
Attorneys for Plaintiff  
MULTIVEN, INC.

1 Dated: July 21, 2010

Respectfully submitted,

2 CADWALADER, WICKERSHAM & TAFT LLP  
3 700 Sixth Street, N.W.  
4 Washington, DC 20001

5 By \_\_\_\_\_ */s/ Joseph J. Bial*  
6 JOSEPH J. BIAL  
7 Attorneys for Plaintiff  
8 MULTIVEN, INC.

9 Dated: July 21, 2010

Respectfully submitted,

10 ROPERS, MAJESKI, KOHN & BENTLEY  
11 515 S. Flower Street, Suite 1100  
12 Los Angeles, CA 90071

13 By \_\_\_\_\_ */s/ Thomas M. O'Leary*  
14 THOMAS M. O'LEARY  
15 Attorneys for Counterdefendants  
16 MULTIVEN, INC., PINGSTA, INC. and  
17 PETER ALFRED-ADEKEYE

18 Dated: July 21, 2010

Respectfully submitted,

19 WINSTON & STRAWN LLP  
20 101 California Street  
21 San Francisco, CA 94111-5802

22 By \_\_\_\_\_ */s/ Patrick M. Ryan*  
23 PATRICK M. RYAN  
KRISTA M. ENNS  
J. CALEB DONALDSON  
24 Attorneys for Defendant and Counterclaimant  
CISCO SYSTEMS, INC. and Counterclaimant  
CISCO TECHNOLOGY, INC.

I, Patrick M. Ryan, hereby attest, pursuant to N.D. Cal. General Order No. 45, that the  
concurrence to the filing of this document has been obtained from each signatory hereto.

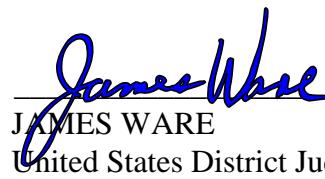
25 \_\_\_\_\_ */s/ Patrick M. Ryan*  
26 PATRICK M. RYAN

1 PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

2       1. Because the parties have entered into a settlement agreement ("Settlement  
3 Agreement"), the claims and the counterclaims in this action are hereby STAYED pending final  
4 dismissal of the action.

5       2. The parties have established that Exhibit 4 to the Settlement Agreement is sealable  
6 since it contains confidential and sensitive business information. Therefore, the Court GRANTS the  
7 parties' request to seal Exhibit 4 to the Settlement Agreement. Exhibit 4 to the Settlement  
8 Agreement shall be filed under seal by the Clerk of the Court

9  
10 Dated: July 26, 2010

  
\_\_\_\_\_  
11 JAMES WARE  
12 United States District Judge  
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